

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

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In the Matter of

Advanced Television Systems
and Their Impact upon the
Existing Television Broadcast
Service

MM DOCKET NO. 87-268

To: The Commission

COMMENTS OF CHANNEL TWENTY TELEVISION COMPANY, LLC

Channel Twenty Television Company ("CTTC") hereby submits the following comments with respect to the Sixth Further Notice of Proposed rule Making in MM Docket 87-268 ("Sixth Notice").

CTTC has pending before the Commission an application for a construction permit for a new television station on Channel 20 in Salt Lake City, Utah. Last December, CTTC entered into settlement agreements with the other applicants for Channel 20 which would result in a grant of the CTTC application for an NTSC permit on Channel 20.

CTTC is patiently awaiting action by the Commission on the joint request for approval of those agreements. It anticipates action on settlement request within the near future.

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The Commission has requested comments as to the proposed table of ATV assignments appended to the Sixth Notice. CTTC notes that the Table does not include any ATV assignment corresponding to the Channel 20 NTSC allotment at Channel 20. CTTC respectfully submits that the transition to ATV would be ameliorated by inclusion of such an ATV allotment in the final Table to be issued by the Commission.

CTTC appreciates the difficulty the Commission faces in finding adequate spectrum to accommodate operation of both NTSC and ATV operations during the transition in areas of the country where greater congestion exists than in Utah. In Utah, however, there is ample spectrum to permit ATV operations along with the current NTSC service.

Specifically, at present there is not a single operating full service television station anywhere in the state operating above UHF channel 30, and only one operating full service station below Channel 30 in the UHF band. A great many translators exist on those higher frequencies. However, in general they operate in the more remote parts of the state, and would not be adversely affected by a well-selected ATV channel in Salt Lake City to be paired with CTTC's Channel 20 NTSC authorization.

Channel 20 differs from those NTSC frequencies that have never been used, and therefore might be viewed as having less value to the public than those already in operation. Channel 20 was, in fact, in operation in Salt Lake City from

approximately 1980 through 1987, when its ownership converted that operation to Channel 13, the VHF "drop-in" allotment.

CTTC is seeking only to replicate that service. The Commission has consistently held that the public interest is served by maximum competition in broadcast television (as in other services) and by maximum diversity of viewpoints in each television marketplace. For the Commission to deprive CTTC of the opportunity for an ATV allotment would run counter to that longstanding policy where, as here, there does not appear to be a shortage of regional spectrum that could justify such a step.

Were it not for the delay in securing Commission approval of the settlement agreements, it might very well be on the air with Channel 20 by now, or, to the extent that winter weather is already making construction at high elevation transmitter sites in Utah problematic, at the next earliest construction opportunity.

It would be unfair to rob the public in Utah of the benefit of an ATV signal from CTTC merely because the company's progress has been delayed by the wait for Commission action and by the weather. It would also be unfair so to place CTTC at a greater competitive disadvantage than it already faces by virtue of its UHF NTSC allotment in a market dominated by four commercial VHF operations.

Accordingly, CTTC urges that the Commission exercise judicious flexibility in the completion of the final table of ATV allotments so as to afford CTTC (and perhaps other applicants for channels in similarly uncongested areas) the availability of an ATV assignment.

Respectfully submitted,

**CHANNEL TWENTY TELEVISION
COMPANY, LLC**

By: Isaac Max Jaramillo
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Manager

Dated: November 22, 1996